

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

December 16, 2008

DIVISION ONE

B202424 People (Not for Publication)
v.
Nicholas

The judgment is affirmed.

Rothschild, J.

We concur: Mallano, P.J.
 Dunning, J. (Assigned)

B194836 People (Certified for Publication)
v.
Martinez & Martinez

The judgments of conviction are reversed.

Rothschild, J.

I concur: Mallano, P.J.
I dissent: Weisberg, J. (Assigned)

DIVISION TWO

Court convened at 9:00 a.m.

Present: Boren, P.J., Doi Todd, J., Ashmann-Gerst, J., Chavez, J. and Joyce Hatter, Deputy Clerk.

DIVISION TWO (continued)

Each of the following:

B206482 People v. Briones
B200415 People v. Williams
B203359 People v. Lloyd
B198794 People v. Jacobo
B201998 People v. Garcia
B207751 In re: J.C.
B200791 Dobine v. City of Los Angeles
B207614 Unedda Enterprises v. Dekar, Ind.

Argument waived, cause submitted.

B196345 Mejia
 v.
 Z-Valet, et al.

Merits:
Argued by Stephen B. Maseda for appellant and by Bruce E. Schwartz for respondent. Cause submitted.

B201175 Enpalm et al.
 v.
 Yadegar et al.

Merits:
Argued by John M. Kennedy for appellants and by Saul Reiss for respondents. Cause submitted.

B204335 Woori Pharmacy, Inc.
 v.
 TRB Network Group, Inc.

Merits:
Argued by Jae Hong Kim for appellant and by Simon H. Langer for respondent. Cause submitted.

DIVISION TWO (continued)

B205044 Cortez
 v.
 City of Huntington Park

Merits:
Argued by Astghik L. Mazlounian for appellant and by Ruth Diep for respondent. Cause submitted.

B198461 American International Group, Inc. et al.
 v.
 Effron

Merits:
Argued by Barry Zoller for appellants and by Michael D. Seplow for respondent. Cause submitted.

Court recessed.

Court reconvened at 1:00 p.m.

Present: Boren, P.J., Doi Todd, J., Ashmann-Gerst, J., Chavez, J. and Jim Guzman, Deputy Clerk.

Each of the following:

B202229 People v. Hempstead
B205906 People v. Jones & Joseph
B203166 People v. Campos
B203379 People v. Huynh
B209131 In re Mia C. (DCFS v. Ramona & Oscar C.)
B206211 DCFS v. Victoria F.
B208235 In re J.O. IV (DCFS v. J.O. III)
B205263 In re Damien L. DCFS v. Julio F.
B208305 In re Jamara J. (DCFS v. David H.)
B207984 Tolbert V. Danmar Retirement Villa

Argument waived, cause submitted.

DIVISION TWO (continued)

B203585 People
 v.
 Teo

Merits:
Argued by Carol Boyk for appellant and by Viet Nguyen, Deputy Attorney General for respondent. Cause submitted.

B207927 Los Angeles County, D.C.F S.
 v.
 Stacy S.

Merits:
Argued by Lori Fields for appellant and by William Thetford, Deputy County Counsel for respondent. Cause submitted.

B205215 McDade
 v.
 Ash

Merits:
Argued by Rachel Wilkes for appellant and by Heather Appleton for respondent. Cause submitted.

B204180 Carpenter
 v.
 Jack in the Box Corporation

Merits:
Argued by Marvin Krakow for appellant and by Julie Fleming for respondent. Cause submitted.

December 16, 2008 (Continued)

DIVISION TWO (continued)

B200895 First Midland Inc.
v.
Hargress et al.

Merits:
Argued by Coby Halavis for appellant and by Ollie Manago and Anne Manalili for respondents. Cause submitted.

B203064 Associated International
v.
Montenegro

Merits:
Argued by Rick Cigel for appellant and by William Cox for and by for
respondent. Cause submitted.

B204901 Ishkanian
v.
Baker et al.

Merits:
Argued by Alonzo Wickers for appellants and by Nicholas Tepper for respondents. Cause submitted.

Court adjourned.

DIVISION THREE

B192567 People (Not for Publication)
v.
Frederick Glenn Allen

The judgment is affirmed.

Kitching, J.

We concur: Klein, P.J.
Croskey, J.

We concur: Klein, P.J.
Aldrich, J.

Kitching, J.

We concur: Croskey, Acting P.J.
 Aldrich, J.

December 16, 2008 (Continued)

DIVISION THREE (continued)

[illegible]

The judgment is affirmed.

Kitching, J.

We concur: Croskey, Acting P.J.
 Aldrich, J.

B200748 People
v.
Alejandro G..
In re Alejandro G., a Person Coming Under the
Juvenile Court Law

Filed order vacating submission order of December 10, 2008. The matter will be resubmitted upon the filing of respondent's supplemental brief.

DIVISION FOUR

B209241 Blagg (Not for Publication)
v.
Superior Court, Los Angeles County
(People, r.p.i.)

Let a peremptory writ of mandate issue directing the trial court to vacate its order summarily denying without a hearing petitioner's section 1026.2 application for release, and to grant such a hearing. This order is final forthwith and the clerk is directed to issue the remittitur immediately.

Epstein, P.J.

We concur: Willhite, J.
Suzukawa, J.

DIVISION FOUR (continued)

B204890 Los Angeles County, D.C.F S. (Not for Publication)
v.
C.R.

The order terminating parental rights is reversed. On remand, the juvenile court is directed to conduct a limited remand restricted to ordering DCFS to properly comply with the notice provisions of the ICWA with regard to the Northern Cheyenne tribe. If, after proper inquiry and notice, no response is received from the tribe indicating the children are members or eligible for membership, the court shall reinstate its order terminating parental rights. If, after proper inquiry and notice, the Northern Cheyenne tribe determines that the children are Indian children, the juvenile court is ordered to conduct the new permanency planning hearing in conformity with all federal and California ICWA provisions.

Willhite, J.

We concur: Epstein, P.J.
Suzukawa, J.

B202675 People (Not for Publication)
v.
J.M.

The theoretical maximum period of confinement is stricken and in all other respects the order of wardship is affirmed.

Manella, J.

We concur: Epstein, P.J.
Suzukawa, J.

December 16, 2008 (Continued)

DIVISION FOUR (continued)

B205854 People v. Howard (Not for Publication)

The judgment is affirmed.

Willhite, J.

We concur: Epstein, P.J.
Manella, J.

B201735 Stein et al. (Not for Publication)
v.
Goswami

The permanent injunction is affirmed. Respondents are to have their costs on appeal.

Epstein, P.J.

We concur: Willhite, J.
Suzukawa, J.

B203791 J. Kel Painting & Wallcovering, Inc. (Not for Publication)
v.
Burbank Unified School District

The order of the superior court is affirmed. Respondent shall recover its costs on appeal.

Manella, J.

We concur: Willhite, Acting P.J.
Suzukawa, J.

December 16, 2008 (Continued)

DIVISION FIVE

B205303 People (Not for Publication)
v.
Darryl Strickland

The judgment is affirmed.

Armstrong, J.

We concur: Turner, P.J.
 Kriegler, J.

B204411 Marvin Southard (Certified for Publication)
v.
George H.

The judgment is affirmed. Respondent(s) to recover costs.

Armstrong, J.

We concur: Turner, P.J.
 Kriegler, J.

DIVISION SIX

B205201 Guevara (Certified for Publication)
v.
Ventura Co. Community College Dist.

The judgment is reversed. Costs on appeal are awarded in favor of appellant.

Gilbert, P.J.

We concur: Coffee, J.
Perren, J.